## ation and Appeals Involving Magten Asset Management Corporation and NorthWestern Corporation and its Affiliates Pending Before Judge Farnan

this Court

	<u>Description</u>	<u>Parties</u>	Status as of 9/7/05	Related Actions/Appeals
	Appeal by Magten and Law	Counsel for Magten	Mediation completed	Resolution of this Appeal may render moot the
t Corp. and Law	Debenture of Bankruptcy	Asset Management	without a settlement on May 12 2005	following appeals/causes of action pending
of New York	Magten and Law	Harris, Shriver &	11d) 12, 2005.	
	Debenture's Joint 9019	Jacobson LLP and	Briefing completed on	04-1389 (JJF) (consolidated with 04-1508
	Motion for Global	Blank Rome LLP	September 7, 2005.	(JJF)): Appeal of Confirmation
(Appellee)	Settlement of Claims and			Order/Memorandum of Understanding;
	Causes of Action Between	Counsel for Law		
	NorthWestern, Magten and	Debenture Trust		04-1279 (JJF): Magten's Appeal of Bankruptcy
	Law Debenture.	Company of New		Court Order Approving Retention of Paul,
		York: Nixon		Hastings, Janofsky & Walker LLP as Debtor's
		Peabody LLP and		Counsel;
		Smith, Katzenstein &		
		Furlow, LLP		05-0398 (JJF): Magten's Appeal of
				Bankruptcy Court Order Approving Final Fee
		Counsel for		Application of Paul, Hastings, Janofsky &
		NorthWestern	,	Walker LLP
		Corporation: Paul,		
		Hastings, Janofsky &		05-0548 (JJF): Magten's Appeal of
		Walker LLP and		Bankruptcy Court Order Denying Fees
		Greenberg Traurig		Incurred by Magten in Connection With
		LLP		Adversary Proceedings Against Magten
				Voluntarily Dismissed with Prejudice by
		Counsel for		NorthWestern.
		Creditors'		
		Committee/Plan		05-0603 (JJF): Law Debenture's Appeal of

Description	<u>Parties</u>	<b>Status as of 9/7/05</b>	Related Actions/Appeals
	Committee: Paul, Weiss, Rifkind,		Bankruptcy Court Order Denying Law Debenture Fees Incurred in its Capacity as
	Wharton & Garrison LLP and The Bayard		Indenture Trustee
	Firm		05-0499 (JJF): Litigation between Magten and
	Counsel for Ad Hoc		Fork and Blackfoot LLC for breach of
	Committee of Class 7		fiduciary in connection with 2002 transaction
	Noteholders: Kramer Levin Naffalis &		between Clark Fork and NorthWestern
	Frankel, LLP and		04-1256 (JJF): Litigation between Magten and
	Landis Rath & Cobb		Paul, Hastings, Janofsky and Walker LLP for
	LLP		its role in aiding and abetting the 2002
			transaction between Clark Fork and
			NorthWestern
			04-1494 (JJF): Motion to Withdraw the
			Reference from the Bankruptcy Court in
			Connection with Adversary proceeding 04-
			53324, which was commenced by Magten and
			law Debenture alleging that the 2002
			transaction between Clark Fork and
			NorthWestern was a fraudulent transfer.

	Appeal of Confirmation	Counsel for Magten	Mediation completed	May be rendered moot by 05-0209 (JJF):
	Order	Asset Management	without a settlement on	Appeal by Magten and Law Debenture of
: Corp.		Corp.: Fried, Frank,	May 12, 2005.	Bankruptcy Court Order Denying Magten
	Consolidated with Appeal of	Harris, Shriver &		and Law Debenture's Joint 9019 Motion for
	Bankruptcy Court Order	Jacobson LLP and	Briefing of	Global Settlement.
	Approving Memorandum of	Blank Rome LLP	NorthWestern's motion	
(Appellee)	Understanding (CA No. 04-		to dismiss consolidated	
	1508 (JJF)).	Counsel for	appeals completed on	
		NorthWestern	July 12, 2005.	
		Corporation: Paul,		
		Hastings, Janofsky &	Remaining briefing	
		Walker LLP and	completed on August	
		Greenberg Traurig	27, 2005.	
		LLP		
		Counsel for		
		Creditors'		
		Committee/Plan		
		Committee: Paul,		
		Weiss, Rifkind,		
		Wharton & Garrison		
		LLP and The Bayard		
		Firm		

	Appeal of Bankruptcy Court Order Approving Retention	Counsel for Magten Asset Management	Mediation completed without a settlement on	May be rendered moot by 05-0209 (JJF): Appeal by Magten and Law Debenture of
nt Corp. (Appellant)	of Paul, Hastings, Janofsky & Walker LLP as Debtor's	Corp.: Storch, Amini & Munves PC and	May 12, 2005.	Bankruptcy Court Order Denying Magten and Law Debenture's Joint 9019 Motion for
	Counsel.	Smith, Katzenstein &	Briefing completed on	Global Settlement.
k Walker LLP		Furlow, LLP	August 15, 2005.	
		Counsel for Paul,		
		Hastings, Janofsky & Walker LLP: Davis		
		Polk & Wardwell		
		and Morris, Nichols,		
		Arsht & Tunnell		
	Appeal of Bankruptcy Court	Counsel for Magten	Louis C. Bechtle	May be rendered moot by 05-0209 (JJF):
·	Order Approving Final Fee	Asset Management	appointed as mediator	Appeal by Magten and Law Debenture of
nt Corp. (Appellant)	Application of Paul,	Corp.: Storch, Amini	on 6/29/2005.	Bankruptcy Court Order Denying Magten and
	Hastings, Janofsky &	& Munves PC and		Law Debenture's Joint 9019 Motion for
, , , , , , , , , , , , , , , , , , ,	Walker LLP	Smith, Katzenstein &	Mediation stayed on	Global Settlement.
& Walker LLP		Furlow, LLP	motion of the parties	
			pending resolution of	
		Counsel for Paul,	Magten's appeal of the	
		Hastings, Janofsky &	Bankruptcy Court	
		Walker LLP: Davis	Order Approving	
		Polk & Wardwell	Retention of Paul,	
		and Morris, Nichols,	Hastings, Janofsky &	
		Arsht & Tunnell	Walker LLP as	
			Debtor's Counsel (CA	
			No. 04-1279 (JJF)).	

pu		pu	
May be rendered moot by 05-0209 (JJF): Appeal by Magten and Law Debenture of Bankruptcy Court Order Denying Magten and Law Debenture's Joint 9019 Motion for Global Settlement.		May be rendered moot by 05-0209 (JJF): Appeal by Magten and Law Debenture of Bankruptcy Court Order Denying Magten and Law Debenture's Joint 9019 Motion for Global Settlement.	
Appeal docketed with this Court on July 29, 2005. Briefing stayed pending mediation pursuant to	applicable Local Rules.  Hon. Louis C. Bechtle appointed as mediator on August 25, 2005.	Appeal docketed with this Court on August 17, 2005.  Briefing stayed pending appointment of mediator pursuant to applicable Local Rules.	
Counsel for Magten Asset Management Corp.: Fried, Frank, Harris, Shriver & Jacobson LLP and Blank Rome LLP	Counsel for NorthWestern Corporation: Paul, Hastings, Janofsky & Walker LLP and Greenberg Traurig	Counsel for Law Debenture Trust Company of New York: Nixon Peabody, LLP and Smith, Katzenstein & Furlow, LLP Counsel for NorthWestern Corporation: Paul, Hastings, Janofsky & Walker LLP and Greenberg Trantio	LLP
Appeal of Bankruptcy Court Order Denying Motion by Magten Asset Management Corp. for Fees and Expenses Incurred in Connection with Defense of Adversary	Proceeding 04-55051, which was Voluntarily Dismissed With Prejudice by NorthWestern	Appeal of Bankruptcy Court Order Denying Motion by Law Debenture Seeking Reimbursement of Fees and Expenses Incurred in its Capacity as Indenture Trustee	
nt Corp. (Appellant)		npany of New York n (Appellee)	

	<u>Description</u>	<u>Parties</u>	Status as of 9/7/05	Related Actions/Appeals
Corp. v. Hanson et	Complaint filed in Montana District Court against officers of Clark Fork and Blackfoot LLC (a	Counsel for Magten Asset Management Corp.: Fried, Frank, Harris, Shriver &	Action initiated in Montana District Court on April 15, 2004.	May be rendered moot by 05-0209 (JJF): Appeal by Magten and Law Debenture of Bankruptcy Court Order Denying Magten and Law Debenture's Joint 9019 Motion for Global
	NorthWestern subsidiary) alleging Breach of Fiduciary Duty in	Jacobson LLP and Blank Rome LLP	Defendants made a motion to dismiss and a motion for summary	Settlement.
	connection with the 2002 transfer of assets from Clark Fork to NorthWestern.	Counsel for Defendants: Browning, Kaleczyc Berry &	judgment. Both motions were denied by the Montana District Court	
	Action transferred to this Court on July 18, 2005.	Hoven, P.C. and Edwards & Angell LLP	Prior to the transfer of this litigation to this Court, a scheduling order was entered in	
			Montana providing for the following dates: January 31, 2006: Discovery deadline (other than expert)	
			March 31, 2006: Disclosure of Plaintiff's damages experts and simultaneous disclosure of liability	

Related Actions/Appeals							
Rela							
Status as of 9/7/05	experts	May 1, 2006: Disclosure of Defendants' damages experts	June 30, 2006: Expert discovery deadline	October 23, 2006: Settlement Conference Request/Motions Deadline (fully briefed)	January 27, 2007: Motions in Limine Deadline/Attorney Conference to Prepare final Pretrial Order	January 29, 2007: Deadline to Submit final Pretrial Order, Jury Instructions and Trial Briefs	February 1, 2007: Final Pretrial Conference
<b>Parties</b>							
Description							

Related Actions/Appeals			May be rendered moot by 05-0209 (JJF): Appeal by Magten and Law Debenture of Bankruptcy Court Order Denying Magten and Law Debenture's Joint 9019 Motion for Global Settlement.	
Status as of 9/7/05	February 12, 2007: Begin 6-day jury trial	Upon transferring the action to Delaware, the Montana District Court stayed discovery.	Paul Hastings moved to stay litigation pending resolution of Case No. 04-53324, currently pending in the Bankruptcy Court. Briefing completed on 12/8/04; oral argument requested by Magten. Resolution of matter stayed by Court pending participation in mediation.	Mediation completed without a settlement on May 12, 2005.
<u>Parties</u>			Counsel for Magten Asset Management Corp.: Storch, Amini & Munves PC and Smith, Katzenstein & Furlow, LLP Counsel for Paul, Hastings, Janofsky & Walker LLP: Davis Polk & Wardwell and Morris, Nichols, Arsht & Tunnell	
Description			Complaint against Paul Hastings for aiding and abetting in the transfer of the assets of Clark Fork to Northwestern. Action was originally filed in Montana and subsequently transferred to Delaware.	
			nt Corp. v. Paul, lker LLP	

Bankruptcy Court pending resolution of Magten's appeal of the Confirmation Order.

	Motion to Withdraw the	Counsel for Magten	Briefing completed in	May be rendered moot by 05-0209 (JJF):
	Reference to Adversary No.	Asset Management	the Bankruptcy Court.	Appeal by Magten and Law Debenture of
t Corp. and law	04-53324.	Corp.: Fried, Frank,		Bankruptcy Court Order Denying Magten and
of New York v.		Harris, Shriver &	Matter transferred to	Law Debenture's Joint 9019 Motion for Global
Ţ	Adversary No. 04-53324	Jacobson LLP and	this Court for	Settlement.
	was commenced by Magten	Blank Rome LLP	resolution on	
	and Law Debenture against		December 6, 2004.	
	NorthWestern alleging that	Counsel for Law		
	the 2002 transfer of assets	Debenture Trust		
	by Clark Fork to	Company of New		
	Northwestern was a	York: Nixon		
	fraudulent conveyance.	Peabody LLP and		
		Smith, Katzenstein		
		& Furlow, LLP		
		,		
		Counsel for		
		NorthWestern		
		Corporation: Curtis,		
		Mallet-Prevost, Colt		
		& Mosle LLP and		
		Greenberg Traurig		
		LLP		